

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chairman Jim Shockley, on January 28, 2009 at 3:00 P.M., in Room 335 Capitol.

ROLL CALL

Members Present:

Sen. Jim Shockley, Chairman (R)
Sen. Keith Bales (R)
Sen. Joe Balyeat (R)
Sen. Jerry W. Black (R)
Sen. John Brenden (R)
Sen. Mike Cooney (D)
Sen. Larry Jent (D)
Sen. Carolyn Squires (D)
Sen. Joseph (Joe) Tropila (D)
Sen. Jonathan Windy Boy (D)

Members Excused: Sen. John Brueggeman, Vice Chairman (R)

Members Absent: None

Staff Present: Dave Bohyer, Legislative Branch
Libby Goodwin, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 241, 1/21/2009; SB 243,
1/21/2009; SB 252, 1/26/2009; SB
276, 1/26/2009

Executive Action: SB 252, SB 49, SB 239

HEARING ON SB 252

00:00:19 **Opening Statement by Sponsor:** Sen. Mike Cooney (D), SD 40, opened the hearing on SB 252, Name law enforcement academy classroom building after Karl Ohs.

Proponents' Testimony:

00:03:08 Former Governor Judy Martz
00:05:43 Duane Grimes
00:07:46 Sherry Ohs
00:09:33 Steve Snezek
00:10:33 Sen. Balyeat
00:11:27 Eric Ohs

Opponents' Testimony:

00:11:57 None

Informational Testimony:

00:12:01 Sheryl Olsen, Department of Administration

Questions from Committee Members and Responses:

00:12:54 None

Discussion:

00:13:14 Chairman Shockley
00:15:01 Sen. Squires

00:15:30 **Closing by Sponsor:** Sen. Cooney

EXECUTIVE ACTION ON SB 252

00:15:49 **Motion/Vote:** Sen. Black moved that **SB 252 DO PASS.**
Motion carried unanimously by voice vote. Sen. Windy Boy voted by proxy.

00:16:07 recess
00:19:09 reconvene

HEARING ON SB 241

00:19:23 **Opening Statement by Sponsor:** Sen. Joe Balyeat (R), SD
34, opened the hearing on SB 241, Taxpayer Right to
Know Act - budget database website.

EXHIBIT(sts20a01)

Proponents' Testimony:

00:29:40 Don Hoffman, Montana Taxpayers Association

00:30:03 John Barrows, Executive Director, Montana Newspaper
Association

Opponents' Testimony:

00:30:29 None

Informational Testimony:

00:31:04 Dick Clark, Chief Information Officer, State of Montana
EXHIBIT(sts20a02)

00:31:27 Carl Graham, Montana Policy Institute
EXHIBIT(sts20a03)

00:38:14 Curt Nichols, Montana Policy Institute
EXHIBIT(sts20a04)

Questions from Committee Members and Responses:

00:42:31 Sen. Brenden
00:42:56 Curt Nichols
00:43:02 Sen. Squires
00:45:13 Curt Nichols
00:46:24 Chairman Shockley
00:47:11 Sen. Cooney
00:47:38 Curt Nichols
00:47:55 Chairman Shockley
00:47:59 Carl Graham

00:48:10 **Closing by Sponsor:** Sen. Balyeat

Additional Exhibit: Sandra Fabry, Center for Fiscal
Accountability

EXHIBIT(sts20a05)

HEARING ON SB 276

00:52:46 **Opening Statement by Sponsor:** Sen. Carolyn Squires (D), SD 48, opened the hearing on SB 276, Require absentee voter confirmation forms to be mailed annually, only in January.

Proponents' Testimony:

00:57:40 Linda McCulloch, Secretary of State

[EXHIBIT](#)(sts20a06)

[EXHIBIT](#)(sts20a07)

01:00:33 Duane Winslow, Yellowstone County

01:02:47 Terry Minow, Montana Education Association/Montana Federation of Teachers (MEA/MFT)

01:03:18 Kate Cholewa, Montana Common Cause

Opponents' Testimony:

01:03:46 None

Informational Testimony:

01:03:49 None

Questions from Committee Members and Responses:

01:03:54 Sen. Brenden

01:04:04 Duane Winslow, Yellowstone County

01:04:44 Sen. Brenden

01:05:03 Duane Winslow, Yellowstone County

01:05:26 Sen. Brenden

01:06:09 Chairman Shockley

01:06:36 Duane Winslow, Yellowstone County

01:06:53 Chairman Shockley

01:07:17 Duane Winslow, Yellowstone County

01:07:40 Sen. Bales

01:08:44 Duane Winslow, Yellowstone County

01:09:17 Sen. Brenden

01:09:50 Duane Winslow, Yellowstone County

01:11:05 Sen. Brenden

01:11:32 Duane Winslow, Yellowstone County

01:12:02 Sen. Brenden

01:12:22 Duane Winslow, Yellowstone County

01:12:27 Chairman Shockley

01:13:42 Duane Winslow, Yellowstone County

01:14:16 Chairman Shockley

01:14:45 Duane Winslow, Yellowstone County

01:14:59 Sen. Cooney

Additional exhibit: Vickie Zeier, Missoula County

[EXHIBIT](#)(sts20a08)

01:15:17 Closing by Sponsor: Sen. Squires

HEARING ON SB 243

01:18:21 Opening Statement by Sponsor: Sen. Joe Balyeat (R), SD
34, opened the hearing on SB 243, Constitutional
amendment to require majority vote in general
elections.

[EXHIBIT](#)(sts20a09)

Proponents' Testimony:

01:27:43 None

Opponents' Testimony:

01:27:48 Linda McCulloch, Secretary of State

[EXHIBIT](#)(sts20a10)

01:31:22 Duane Winslow, Yellowstone County

01:32:59 Terry Minow, MEA/MFT

Informational Testimony:

01:33:50 None

Questions from Committee Members and Responses:

01:33:53 Sen. Cooney

01:34:09 Sen. Balyeat

01:34:39 Sen. Cooney

01:36:02 Sen. Balyeat

01:36:14 Sen. Cooney

01:36:38 Sen. Balyeat

01:37:06 Sen. Cooney

01:37:23 Sen. Balyeat

01:38:06 Closing by Sponsor: Sen. Balyeat

01:43:11 recess

01:46:26 reconvene

EXECUTIVE ACTION ON SB 49

01:47:08 **Motion:** Sen. Cooney moved that **SB 49 DO PASS.**

Discussion:

01:47:28 Chairman Shockley
01:48:29 Sen. Brenden
01:49:42 Chairman Shockley
01:50:18 Sen. Bales
01:50:44 Chairman Shockley
01:51:03 Sen. Squires
01:51:38 Chairman Shockley
01:51:55 Sen. Cooney
01:54:50 Chairman Shockley

01:55:35 **Vote:** Motion carried 9-2 by roll call vote with Sen. Bales and Sen. Brenden voting no. Senator Windy Boy voted by proxy.

EXECUTIVE ACTION ON SB 239

01:57:02 **Motion:** Sen. Bales moved that **SB 239 DO PASS.**

Discussion:

01:58:02 Sen. Brenden
02:00:14 Sen. Bales
02:02:39 Chairman Shockley
02:02:44 Sen. Balyeat
02:05:10 Sen. Bales
02:06:40 Sen. Cooney

02:08:14 **Motion:** Sen. Bales moved that **SB 239 BE CONCEPTUALLY AMENDED** to delete Lines 14 through 16, Page 1.

02:08:30 Sen. Bales
02:08:50 Sen. Balyeat

02:08:15 **Vote:** Motion failed 3-8 by roll call vote with Sen. Bales, Sen. Black, and Sen. Cooney voting aye. Sen. Windy Boy voted by proxy.

02:12:54 **Vote:** Motion failed 3-8 by roll call vote with Sen. Bales, Sen. Brueggeman, and Sen. Cooney voting aye. Sen. Windy Boy voted by proxy.

02:12:32 Chairman Shockley without objection reversed the vote
and tabled the bill.

ADJOURNMENT

Adjournment: 5:00 P.M.

Libby Goodwin, Secretary

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Additional Documents:

EXHIBIT ([sts20aad.pdf](#))